

IN THE SENATE

SENATE BILL NO. 1025

BY BOCK

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 2, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-212, IDAHO CODE, TO PROVIDE A DEFINITION, TO PROVIDE FOR WRITTEN PARENTAL REQUEST FOR CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS, TO PROVIDE THAT THE SCHOOL MAY RECOMMEND TO THE PARENT APPROPRIATE CLASSROOM PLACEMENT FOR MULTIPLE BIRTH SIBLINGS AND PROVIDE PROFESSIONAL EDUCATIONAL ADVICE RELATING TO THE CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS, TO PROVIDE THAT, WITH CERTAIN EXCEPTIONS, THE SCHOOL SHALL PROVIDE MULTIPLE BIRTH SIBLINGS WITH THE CLASSROOM PLACEMENT REQUESTED BY THE PARENT, TO PROVIDE THAT A PARENT MAY APPEAL THE PRINCIPAL'S CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS, AND TO PROVIDE THAT THIS SECTION SHALL NOT AFFECT CERTAIN RIGHTS OR OBLIGATIONS PROVIDED FOR IN LAW OR THE RIGHT OF A SCHOOL DISTRICT, PRINCIPAL OR TEACHER TO REMOVE A STUDENT FROM A CLASSROOM PURSUANT TO CERTAIN DISCIPLINARY POLICIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 2, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-212, Idaho Code, and to read as follows:

33-212. CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS. (1) As used in this section, the term "multiple birth siblings" means twins, triplets, quadruplets, or other siblings resulting from a multiple birth.

(2) (a) The parent of multiple birth siblings who are assigned to the same grade level and school may request in writing that the school place the siblings in the same classroom or in separate classrooms. The request shall be made no later than five (5) days before the first day of each school year or five (5) days after the first day of attendance of such students during the school year if such students are enrolled in the school after the school year commences.

(b) The school may recommend to the parent the appropriate classroom placement for multiple birth siblings and may provide professional educational advice to assist the parent with the decision regarding appropriate classroom placement.

(3) Except as provided in subsection (4) or (5) of this section, a school shall provide the multiple birth siblings with the classroom placement requested by the parent.

(4) (a) A school is not required to place multiple birth siblings in the same classroom if factual evidence of performance shows proof that the multiple birth siblings should be separated.

1 (b) A school is not required to place multiple birth siblings in separate classrooms if the
2 request would require the school district to add an additional class to the grade level of
3 the multiple birth siblings.

4 (5) (a) At the end of the first grading period following the multiple birth siblings'
5 enrollment in the school, if the principal of the school, in consultation with the teacher
6 of each classroom in which the multiple birth siblings are placed, determines that the
7 requested classroom placement is disruptive to the school, the principal may determine
8 the appropriate classroom placement for the siblings.

9 (b) A parent may appeal the principal's classroom placement of multiple birth siblings
10 in the manner provided by school district policy. During the course of such appeal and
11 pending a final decision in such appeal, the multiple birth siblings shall remain in the
12 classroom chosen by the parent.

13 (6) This section does not affect:

14 (a) A right or obligation provided for in chapter 20, title 33, Idaho Code, or a right or
15 obligation provided for in the Individuals with Disabilities Education Act, 20 U.S.C. sec.
16 1400 et seq., regarding the individual placement decisions of the school district; or

17 (b) The right of a school district, principal or teacher to remove a student from a
18 classroom pursuant to school district student discipline policies.